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## MOSCOW CAUTIONS ON JAILED BRITON

Warns of Retrial If London  
Presses for Release

By RAYMOND H. ANDERSON  
Special to The New York Times

MOSCOW, Dec. 28 — Izvestia, the Soviet Government newspaper, warned today that British efforts to win freedom for Gerald Brooke, a college lecturer serving a five-year term here for "anti-Soviet activity," could lead to his being tried for espionage and being subjected to the full penalty.

"And this would be only fair," Izvestia added.

The paper declared that Soviet justice had treated Mr. Brooke with more "humanity" than he deserved since he was a "spy" and could have been sentenced to 15 years.

Furthermore, it added, his wife, Barbara, who was with Mr. Brooke when he was seized, also could have been tried for espionage, but had been allowed to return to Britain.

### Recruited by N.T.S.

Mr. Brooke was arrested in Moscow in April, 1965, when he visited here with a group of tourists. He was tried three months later and convicted of attempts to distribute anti-Soviet propaganda.

The young man, who was a lecturer in Russian literature at Holborn College in London, admitted in court that he had been recruited by N.T.S., an anti-Soviet Russian exile organization, to distribute propaganda material and gather information during his trip.

Izvestia asserted that Mr. Brooke had been involved in

espionage, although Moscow chose to be lenient and try him on the lesser charge of anti-Soviet activity. Soviet officials who searched him found a "notebook with coded intelligence information" and other evidence proving that he was a spy, the article said.

Izvestia indicated that the British effort to win clemency for Mr. Brooke was a press campaign. It did not allude to the many representations on Mr. Brooke's behalf by Prime Minister Wilson and the British Foreign Secretary, George Brown or to the British Government's request that its consular officials be allowed to visit Mr. Brooke and for clemency to be extended to him.

Mr. Brooke, who is 30 years old, was sentenced to one year in prison and four years in a labor colony, where he now is cutting timber.

### Amnesty Did Not Apply

When the Soviet Government declared an amnesty in honor of the 50th anniversary of the Bolshevik Revolution last month, hopes were raised in Britain that Mr. Brooke would be released. However, the amnesty did not apply to persons guilty of "serious state crimes," as anti-Soviet activity and propaganda is classified in this country's criminal code.

Izvestia charged that the campaign on behalf of Mr. Brooke had been stirred up to offset favorable articles about the Soviet Union printed in Britain in connection with the Bolshevik anniversary.

It noted scornfully that some Britons were threatening that Mr. Brooke was not freed, London would move to break a cultural exchange agreement with the Soviet Union.

Izvestia said that permission for Mrs. Brooke to visit her

husband several times since his imprisonment was a demonstration of the Soviet Union's humanitarian treatment of the prisoner. She has been permitted two visits, the last almost a year ago.

"Incidentally, the reputation of Brooke's wife is far from irreproachable," the paper said. "What she deserved is not visits with her husband but joint responsibility with him for subversive activity against the Soviet Union."

### Britain Voices Surprise

Special to The New York Times

LONDON, Dec. 28 — The Foreign Office termed "extraordinary" the apparent Soviet threat to try Gerald Brooke again on new espionage charges if Britain pressed here requests for clemency or for regular consular access to the prisoner.

The suggestion that Mr. Brooke was a spy was put forward two weeks ago by H.A.R. (Kim) Philby, the British who was a Soviet agent and now lives in Moscow.

Mr. Philby told a reporter of the Sunday Times of London that the N.T.S., the organization whose material Mr. Brooke carried into the Soviet Union, "really belongs to the Central Intelligence Agency."

Mr. Philby said that the N.T.S. "used to be financed" by British intelligence, but "was handed over some time in 1950" to the C.I.A. He added: "I ought to know — it was me who handed it over."

The British view is that the restrictions on Mr. Brooke are part of a Soviet pressure campaign for an exchange with Peter and Helen Kroger, Soviet agents serving 20-year prison sentences in Britain. They are regarded as important agents and Britain has said that an exchange is out of the question.

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